BY-LAW NO.

A BY-LAW to provide for repairing the Ouellette Drain west of the Crow Road in the Township of Dover, and constructing a new outlet for it, and for borrowing on the credit of the Municipality the sum of $10,856.00 for completing the same.

Provisionally adopted the 9th day of November, 1893.

WHEREAS, certain ratepayers have made application to the Municipal Council of the said Township of Dover, stating that the Ouellette Drain in its present state does not afford sufficient outlet for the waters of Pain Court Creek entering it at lot seven in the Front concession, as well as other waters flowing into the said drain and causing damage to adjacent lands, and asking to have the Ouellette Drain repaired and improved from about the middle of said lot seven westerly to the Rivard Drain Outlet, so as to make a sufficient outlet for all the waters coming into the said part of the Ouellette Drain.

And whereas ,thereupon the said Council procured an examination to be made by A McDonell, Esq., C. E., being a person competent for such purpose, of the said locality proposed to be drained by repairing and improving the Ouellette Drain west of the Crow road, and has also procured plans and estimates of the work to be made by the said A. McDonell and an assessment to be made by him of the real property to be benefited by improving the said drain from the Crow Road westerly to the road in front of the Fifth concession and constructing a new outlet for it, stating, as nearly as he can, the proportion of benefit which, in his opinion, will be derived in consequence of such improvement and constructing a new outlet, by every road and lot, or portion of lot, the said assessment so made, being the assessment hereinafter by this by-law enacted to be assessed and levied upon the lots and parts of lots hereinafter in that behalf specially set forth and described, and the report of the said A. McDonell in respect thereof, and of the said improvement and new outlet being as follows:

To the Municipal Council of the Township of Dover.

GENTLEMEN,—In accordance with instructions received from your Honorable Body, whereby I was appointed and directed to examine the Ouellette Drain in your township with the view of repairing it and improving the outlet, or if found necessary, to construct a new outlet for it. I beg to say that I made the required examination and report thereon as follows, viz.:—I find in the first place that the drain is very much out of repair, so much so that in certain parts of it the drain has wholly disappeared and marsh hay has been cut where the drain was. Another part of it has grown up with a forest of willows to such an extent that it is impossible for any water to pass through them The part of the drain to which reference is made, is across lot three in the Fourth concession.

When we get down to the Rivard Drain in front of the Fifth concession I find the plains to be very little above the level of the lake, and as there can be no drainage by gravitation for the lands through which the drain passes north of the lands in the Fourth concession, I propose and recommend to construct a new outlet for the Ouellette Drain by cutting a new drain south-west on the south side of the road allowance in front of the Fifth concession of Dover, from the point where the said Ouellette Drain crosses the road in front of the Fifth concession, which is at the line between lots two and three in the Fifth concession, to the west side of the Townline Road between Dover East and Dover West, thence north-west on the west side of the said Townline to the Rivard Drain, near the front of the Eighth concession, forming a bank on each side of the said drain by the earth excavated therefrom, Two-thirds of the said excavated earth to be placed on the road to the north and east of the drain, and graded on the road with a crown not less than sixteen feet; and one-third of the said excavated earth to be formed into a bank on the south side of the drain from the present Ouellette Drain south-west to the west side of the Townline, to which reference is made above; and one-third of the said excavated earth shall be formed into a bank on the west side of the proposed new drain, from the front of the Fifth concession to the Rivard Drain, near the front of the Eighth concession. The said new outlet shall be twenty-six feet bottom and thirty feet top in width with depths and grade or fall as shown on the section of the drain which accompanies this report. The said excavated earth shall be kept four feet clear from the margin of the new outlet drain on each side thereof.

A bridge will be required on the new outlet drain where it crosses the Townline, to which reference is made above, said bridge shall be built in the following manner, viz:—Five sound white oak piles shall be driven five feet centre to centre on each side of the drain, having a clear span of thirty feet, said piles to be fifteen feet long, not less than one foot diameter at the centre. The piles shall be driven eight feet below the bottom of the drain, then cut off to make the height coincide with the grade of the road, and capped with twelve by twelve inches sound white oak caps securely framed thereto The piles shall then be lined on the outside with three inch elm plank, securely spiked thereto, to the distance of four feet below the natural surface of the ground.

There shall be five stringers or joists on the bridge, made of three by ten inches sound white oak plank, three leaves to a joist, with two inch packing, blocks bolted every four feet with five-eighths ($\frac{5}{8}$) inch bolts, securely fixed with nuts and washers, and two bolts to a block. The joists shall be thirty-two feet long, and the ends let down on the caps of the piles one and a half inch with a square shoulder. The joists will be supported with a truss made of sound elm timber, either hewn or sawn, eight inches square, height of truss to be one-fifth the length of the bridge, and the foot of the truss shall be attached to the joist with a cast iron shoe having an inch iron bolt through the foot of the truss, the shoe and the joist securely fastened with a nut and washer under the joist. Truss rods to be made of one and one-quarter inch iron Cast iron caps shall be on the top of all truss rods, and large cast iron washers with nuts shall be put on the lower end of the truss rods.

A needle beam of sound white oak nine by ten inches and twenty-eight feet long will be required for the bridge, through which the truss rods will run to be securely screwed up to the joists, and a brace shall be framed between the end of the needle beam and the top of the truss.

The bridge will be covered with three inch elm plank, securely spiked to the joists.

Again, I recommend to improve the Ouellette Drain from the road in front of the Fifth concession south east to station one hundred and forty in lot six, east of the Jacob road, to ten feet bottom with cuttings and grade or fall as shown on the section thereof, side slopes one to one, and all the earth excavated therefrom shall be formed into a bank on the south-east side of the drain. Thence to continue the improvement from station one hundred and forty to station one hundred and fifty-one, east of the entrance of Pain Court Creek in lot seven to eight feet bottom, side slopes one to one with cuttings and grade or fall as shown on the section thereof. The excavated earth to be kept three feet clear from the margin of the drain.

Thence to continue the improvement north-east from station one hundred and fifty-one to the Crow Road at the line of lots eight and nine to six feet bottom, side slopes one to one with cuttings and grade or fall as shown on the section thereof, and the excavated earth shall be kept three feet clear from the margin of the drain.

The depths shown on the profile of the drain from station one hundred and five to station one hundred and forty seven is given below the bottom of the present drain. The cuttings given for the balance of the drain are from the natural surface of the ground or bottom of the stake.

The estimated cost of all work as above described is $10,856, including all incidental expenses, which sum I have assessed on all the lands and roads benefited thereby or otherwise assessable therefor, pursuant to the provisions of the Municipal Act and amendments thereto.

Said estimate being made up as follows, viz.:—From the Crow Road to the front of the Fifth concession, 16,008 cubic yards of excavation, at 10 cents per yard ..... $ 1,600 80
From the front of the Fifth concession to the Rivard Drain, 85,350 yards, at 10 cents 8,535 00
Bridge 300 00
Contingent expenses 420 20

$10,856 00

Reference is made to the map of the territory assessed, which is attached to the report for the better understanding and the proper location of the several parcels of land herein assessed.

I also determine and report to your Honorable Body that the said drain shall be maintained at the expense of the parties immediately interested in said parcels of land assessed, as per annexed schedule of assessment and of the Municipality whose roads are assessed, as per annexed assessment, in the proportion of and according to such assessment until otherwise determined under the provisions of the said act and amendments thereto.

All of which is respectfully submitted.

I have the honor to be, gentlemen,
Your obedient servant,
A. McDonell, C E.

Chatham, 7th Oct., 1893.

And whereas, the said Council are of opinion that the repairing of the said drain and making a new outlet as proposed is desirable.

Be it therefore enacted by the said Municipal Council of the said Township of Dover, pursuant to the provisions of The Municipal Act and amendments thereto.

1. That the said report, plans and estimates be adopted, and the said drain be repaired and new outlet drain and the works connected therewith be made and constructed in accordance therewith.

2. That the Reeve of the said Township may borrow on the credit of the corporation of the said Township of Dover the sum of ten thousand eight hundred and fifty-six dollars, being the funds necessary for the work, and may issue debentures of the corporation to that amount, in sums of not less than one hundred dollars each, and payable within ten years from the date thereof, with interest at the rate of not more than six per cent per annum, that is to say, in ten equal annual payments of principal and interest, such debentures to be payable at the Canadian Bank of Commerce, in the Town of Chatham, and to have attached to them coupons for the payment of interest.

3. That for the purpose of paying the sum of $9.913.67, being the amount charged against the said lands so to be benefited as aforesaid, other than roads belonging to the Municipality, and to cover interest thereon for ten years, at the rate of not more than six per cent. per annum, the following special rates, over and above all other rates, shall be assessed and levied (in the same manner and at the same time as taxes are levied) upon the undermentioned lots and parts of lots, and the amount of the said special rates and interest assessed as aforesaid, against each lot or part of lot respectively shall be divided into ten equal parts, and one such part shall be assessed and levied as aforesaid, in each year, for ten years after the final passing of this by-law, during which the said debentures have to run.

SCHEDULE of Assessment of Lands and Roads for the proportion which each parcel and road should bear of the cost of repairing the Ouellette Drain, west of the Crow Road, in the Township of Dover, and constructing a new outlet for it, pursuant to the provisions of The Municipal Act and amendments thereto.

Con	Lot or pt of Lot	Acres	Value of improvement for work fm Crow Road to the front of 5th Con.	Value of improvem't for work from the front of the 5th con. to the Rivard Drain.	Total value of improvement.
Front	Nw pt 4	47/100	$0 25	$0 31	$0 56
	Pt n pt 4.....	3.30/100	1 75	2 18	3 93
	Pt e pt w hf 4....	5	2 65	3 30	5 95
	Pt w pt e hf 4....	2.69/100	1 43	1 78	3 21
	Pt n pt e hf 4....	9	4 77	5 94	10 71
	Ne pt 4.....	9	4 77	5 94	10 71
	N pt w hf 5.....	20	10 60	13 20	23 80
	Pt w hf 5.....	19	10 07	12 54	22 61
	Pt w hf e hf 5....	26	13 78	17 16	30 94
	Ne pt 5.....	32	16 96	21 12	38 08
	W hf 6.....	100	70 00	66 00	136 00
	E hf 6.....	100	70 00	66 00	136 00
	C pt w hf 7.....	75	52 50	49 50	102 00*
	Rear pt w hf 7...	8	5 60	5 28	10 88
	C pt w hf e hf 7..	27	18 90	17 82	36 72
	C pt e hf e hf 7...	22	15 40	14 52	29 92
	W pt rear of e hf 7	6	4 20	3 96	8 16
	E pt rear of e hf 7	9	6 30	5 94	12 24
	W ½ 8	116	81 20	76 56	157 76
	E ½ 8.....	58	40 60	38 28	78 88
	N pt sw hf 9.....	70	49 00	46 20	95 20
	N pt w hf e hf 9 .	40	28 00	26 40	54 40
	N pt e hf e hf 9 ..	40	28 00	26 40	54 40
	N pt sw hf 10....	75	52 50	49 50	102 00
	N pt w hf e hf 10	37	25 90	24 42	50 32
	N pt e hf e hf 10 .	37	25 90	24 42	50 32
	N pt w hf 11	97	67 90	64 02	131 92
	N pt e hf 11	96	67 20	63 36	130 56
	Sw qr 12	30	21 00	19 80	40 80
	Se qr 12	50	35 00	33 00	68 00
	Nw qr 12.....	48	33 60	31 68	65 28
	Ne qr 12	50	35 00	33 00	68 00
P.C.B.	E pt 1.....	20	14 00	13 20	27 20
	Sw pt 1.....	28	19 60	18 48	38 08
	Se pt 2.....	70	49 00	46 53	95 53
	Lot 3	80	56 00	52 80	108 80
	Se pts 4 & 5	81	56 70	53 46	110 16
	W pt 5.....	44	30 80	29 04	59 84
	Se pt 6.....	44	30 80	29 04	59 84
	Se pt 7.....	36	25 20	23 76	48 96
	E pt 8	27	18 90	17 82	36 72
	W pt 8	27	18 90	17 82	36 72
	Lot 9.....	20	14 00	13 20	27 20
	Lots 10 & 11 ...	40	28 00	26 40	54 40
	Lots 12 & 13	41	28 70	27 06	55 76
	E pt 14.....	32½	22 75	21 45	44 20
	W pt 14	13	9 10	8 58	17 68
	Lot 15	45	31 50	29 70	61 20
3	Sw qr 11	50	35 00	33 00	68 00
	Se qr 11	50	35 00	33 00	68 00
	S pt w hf 12	66	46 20	43 56	89 76
4	Nw pt 1	74		74 00	74 00
	Pt e pt w 1 7 1....	18		18 00	18 00
	W pt e hf 1	58		58 00	58 00
	E pt 1	44		44 00	44 00
	W hf 2	100	35 00	66 00	101 00
	W hf e hf 2.....	50	17 50	33 00	50 50
	E hf e hf 2	50	17 50	33 00	50 50
	W pt 3.....	67	46 90	44 22	91 12
	C pt 3	67	46 90	44 22	91 12
	E pt 3	67	46 90	44 22	91 12
	W hf w hf 4	50	17 50	33 00	50 50
	F hf w hf 4	50	17 50	33 00	50 50
	E hf 4	100	35 00	66 00	101 00
	W hf w hf 5.....	50	17 50	33 00	50 50
	E hf w hf 5.....	50	17 50	33 00	50 50
	E hf 5	100		66 00	66 00
	Se hf se hf 6	50		33 00	33 00
5	Lot 1.....	200		400 00	400 00
	" 2.....	200		400 00	400 00
	" 3.....	200		300 00	300 00
	" 4.....	200		300 00	300 00
	" 5.....	200		300 00	300 00
6	" 1.....	200		400 00	400 00
	" 2.....	200		400 00	400 00
	Sw qr 3	50		75 00	75 00
	Nw hf & se qr 3	150		225 00	225 00
	Lot 4.....	200		300 00	300 00
	" 5	200		300 00	300 00
7	Sw pt 1	124		248 00	248 00
	Sw pt 2	8		16 00	16 00
	DOVER WEST.				
2	Nw hf nw hf 1	50		100 00	100 00
	Nw hf nw hf 2 .	50		100 00	100 00
3	Lot 1	200		400 00	400 00
	" 2	200		400 00	400 00
4	" 1	200		400 00	400 00
	" 2	200		400 00	400 00
5	Se hf 1	100		200 00	200 00
	Se hf 2	100		200 00	200 00
	Total on lands		$1786 58	$8027 09	$9813 67
	Town Line, Dover East and West, from front of the 4th to the front of the 8th Concession	26		750 00	750 00
	Jacob Road, from the river to the front of the 5th Concession ..	14	9 80	9 24	19 04
	Crow Road, from the River to Pain Court Creek	10	7 00	6 60	13 60
	Road Cons. 4 & 5, from Town Line to Jacob Road	16	5 02	230 19	235 21
	Road, Cons. 3 and 4, from Town Line to Lot 7	18	12 60	11 88	24 48
	Total on Lands & Roads		$1821 00	$9035 00	$10856 00

4. That for the purpose of praying the sum of $1042.33, being the total amount assessed as aforesaid against the said roads of the said municipality, and to cover interest thereon for ten years at the rate of not more than six per cent. per annum, a special rate sufficient therefor, shall, over and above all other rates be levied (in the same manner and at the same time as taxes are levied), upon the whole rateable property in the said Municipality of Dover in each year, for the period of ten years, after the date of the final passing of this By-law, during which the said Debentures have to run.

5. That a copy of this By-law shall be served upon each of the several owners, pursuant to the Statute in that behalf, and may be cited and referred to as "The Duellette Drain Improvement By-law."

NOTICE

NOTICE IS HEREBY GIVEN that a Court of Revision will be held at Cheff's Hotel, Pain Court, on TUESDAY, the 12th day of DECEMBER, 1893, at the hour of ten o'clock in the forenoon, for the hearing and trial of complaints and appeals made against the above assessment, or any part thereof, in the manner provided by the Assessment and Municipal Acts; a notice of such complaint or appeal to be served on the Clerk of the said municipality at least twenty days before the first sitting of said Court.

And further notice is hereby given, that any one intending to apply to have such By-law or any part thereof quashed, must, not later than ten days after the final passing thereof, serve a notice in writing upon the Reeve or other head officer, and upon the Clerk of the said municipality, of his intention to make application for that purpose to the High Court of Justice, at Toronto, during the six weeks next ensuing the final passing of this By-law.

Dated this 10th day of November, 1893.

J. WELSH, CLERK.